

FORM PTO-1390 (Modified)
(REV. 07-2004)

U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

S-0864-US

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

--- 10/511564

INTERNATIONAL APPLICATION NO.
PCT/EP03/03498INTERNATIONAL FILING DATE
3 April 2003PRIORITY DATE CLAIMED
18 April 2002

TITLE OF INVENTION

CARBOCYCLIC AND OXACARBOCYCLIC FUMARIC ACID OLIGOMERS

APPLICANT(S) FOR DO/EO/US

Rajendra K. Joshi; Hans-Peter Strebel

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☒ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☐ Express Mail Label No.
23. ☒ Other items or information:

Return postcard

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <div style="font-size: 2em; font-weight: bold; text-align: center;">107511564</div>		INTERNATIONAL APPLICATION NO. <div style="text-align: center;">PCT/EP03/03498</div>		ATTORNEY'S DOCKET NUMBER <div style="text-align: center;">S-0864-US</div>	
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24. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)) :

☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO **\$1110.00**

☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO **\$950.00**

☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO **\$790.00**

☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) **\$750.00**

☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) **\$100.00**

ENTER APPROPRIATE BASIC FEE AMOUNT =

CALCULATIONS PTO USE ONLY

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	26 - 20 =	6	x \$18.00	\$108.00
Independent claims	1 - 3 =	0	x \$88.00	\$0.00
Multiple Dependent Claims (check if applicable). <input checked="" type="checkbox"/>				\$300.00
TOTAL OF ABOVE CALCULATIONS =				\$1,358.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$0.00
SUBTOTAL =				\$1,358.00
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$0.00
TOTAL NATIONAL FEE =				\$1,358.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				\$0.00
TOTAL FEES ENCLOSED =				\$1,358.00
				Amount to be: refunded \$
				charged \$

a. ☐ A check in the amount of _____ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 502768 in the amount of \$1,358.00 to cover the above fees.

c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 502768

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

John F. Sieberth
Sieberth & Patty, L.L.C.
2924 Brakley Drive, Suite A-1
Baton Rouge, LA 70816

SIGNATURE
John F. Sieberth
 NAME
17,704
 REGISTRATION NUMBER
October 15, 2004
 DATE

Page 2 of 2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RAJENDRA KUMAR JOSHI ET AL.

APPLN. NO. ---

FILED: HEREWITH

CARBOCYCLIC AND OXACARBOCYCLIC
FUMARIC ACID OLIGOMERS

DATE: October 15, 2004

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATE UNDER 37 CFR 1.10 - EXPRESS MAIL

I hereby certify that the correspondence stapled hereto and identified below is being deposited by me with the United States Postal Service as EXPRESS MAIL in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-1450, on October 15, 2004. The number of the "Express Mail" mailing label place thereon prior to mailing is ED052999327US.

Said correspondence consists of the following:

- (1) 2-page Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371;
- (2) 24-page English language translation of Patent Application (Specification, Claims and Abstract) of the Disclosure;
- (3) 3-page Copy of executed Declaration;
- (4) 10-page Preliminary Amendment;
- (5) 1-page Change of Correspondence Address;
- (6) 2-page Notice to Patent Office concerning translation submitted; and
- (7) 24-page certified English language translation of priority document.

A return postcard is attached hereto.


Deborah A. Brouillette

Telephone: (225) 291-4600

Dated: October 15, 2004

DT01 Rec'd PCT/PTO 15 OCT 2004

PTO/SB/122 (06-03)

Approved for use through 11/30/2005. OMB 0651-0035

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**CHANGE OF
CORRESPONDENCE ADDRESS****Application**

Address to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number

10/511564

Filing Date

Herewith

First Named Inventor

Rajendra K. Joshi et al.

Art Unit

Examiner Name

Attorney Docket Number

S-0864-US

Please change the Correspondence Address for the above-identified application to:



Customer Number:

2071

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This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the :



Applicant/Inventor.



Assignee of record of the entire interest.



Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).



Attorney or Agent of record. Registration Number

17,704



Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number

Typed or Printed
Name

John F. Sieberth

Signature

Date

Oct 15, 2004

Telephone

225/291-4600

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.



*Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2